

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

GRAPHIC ARTS MUTUAL  
INSURANCE COMPANY

Plaintiff,

V.

INDIAN RIVER SCHOOL DISTRICT  
INDIAN RIVER SCHOOL BOARD,  
HARVEY L. WALLS, MARK A. ISAACS,  
JOHN M. EVANS, RICHARD H. COHEE,  
GREGORY A. HASTINGS, NINA LOU  
BUNTING, CHARLES M. BIRELEY,  
DONALD G. HATIER, REGINALD L. HELMS,  
M. ELAINE McCABE, LOIS M. HOBBS,  
and EARL J. SAVAGE

Defendants.

**DEFENDANTS' MOTION FOR LEAVE TO FILE ANSWER TO PLAINTIFF'S  
COMPLAINT, AFFIRMATIVE DEFENSES, AND COUNTERCLAIM UNDER SEAL**

The Defendants, by and through their attorneys, Drinker Biddle & Reath LLP, hereby move for leave to file under seal the Defendants' answer to Plaintiff's complaint, affirmative defenses, and counterclaim ("Answer"). Defendants make this motion because the Plaintiff's complaint concerns previously confidential settlement discussions that took place in the matter of *Dobrich, et al. v. Walls, et al.*, No. 05-120 (D. Del.) ("*Dobrich* matter") pursuant to a mediation order. The allegations in the Defendants' Answer also relate to the settlement discussions in the *Dobrich* matter. Although there is no current court order requiring confidentiality regarding the terms of the previous settlement discussions, the parties are currently engaging in further settlement discussions. It may prove helpful to keep the allegations in the Plaintiff's complaint and the Defendants' Answer sealed while those discussions are ongoing.

WHEREFORE for the reasons stated in this motion, the Court should enter the attached order which will permit the Plaintiff's complaint to remain sealed and allow the Defendants to file the Answer under seal.

Dated: June 13, 2006

DRINKER BIDDLE & REATH LLP

/s/ Warren Pratt  
Warren Pratt (DE Bar I.D. #4334)  
Jason P. Gosselin (admitted *pro hac vice*)  
1100 N. Market Street  
Suite 1000  
Wilmington, DE 19801-1243  
(302) 467-4200  
(302) 467-4201 fax

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and EARL J. SAVAGE

Defendants.

## ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2006, upon consideration of the Motion of the Defendants to File their Answer, Affirmative Defenses, and Counterclaim Under Seal, it is hereby ORDERED that the Motion is GRANTED. The Answer, Affirmative Defenses, and Counterclaim will be filed under seal and Graphic Arts' complaint will remain sealed until such time as a conference can be held with the Court.

The Honorable Joseph J. Farnan, Jr.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

GRAPHIC ARTS MUTUAL  
INSURANCE COMPANY

Plaintiff,

V.

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:  
: Civ. Action No. 1:06-CV-00246(JJF)

INDIAN RIVER SCHOOL DISTRICT,  
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Defendants.

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this 13th day of June, 2006, I caused a true and correct copy of the Defendant's Motion for Leave to File Answer to Plaintiff's Complaint, Affirmative Defenses and Counterclaim Under Seal to be served in the manner indicated on the following parties:

### Hand Delivery

Anthony G. Flynn  
Timothy Jay Houseal  
Jennifer M. Kinkus  
The Brandywine Building  
1000 West Street, 17th Floor  
Wilmington, DE 19801

Dated: June 13, 2006

DRINKER BIDDLE &amp; REATH LLP

/s/ Warren Pratt  
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